

ENTERED

May 15, 2018

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

CARLOS QUINTANILLA,
(SPN #02936087),
Plaintiff,

VS.

HOUSTON POLICE DEPARTMENT, *et al.*,
Defendants.

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CIVIL ACTION NO. H-18-0901

MEMORANDUM ON DISMISSAL

Carlos Quintanilla is an inmate of the Harris County Jail. In an order entered on April 3, 2018, this Court directed Quintanilla to pay a fee of \$350.00 or submit an application to proceed *in forma pauperis* within thirty days. Quintanilla was instructed to attach a certified copy of his inmate trust fund account history. This Court admonished Quintanilla that failure to comply as directed within the time specified may result in dismissal of this action for want of prosecution. (Docket Entry No. 4).

Quintanilla has not responded to this Court's order entered on April 3, 2018. Quintanilla's failure to comply with this Court's order forces this Court to conclude that he lacks due diligence.

Under the inherent powers necessarily vested in a court to manage its own affairs, this Court determines that dismissal for want of prosecution is appropriate. *See* FED. R. CIV. P. 41(b); *Link v. Wabash R.R.*, 370 U.S. 626 (1962); *Woodson v. Surgitek, Inc.*, 57 F.3d 1406, 1417 (5th Cir. 1995); 8 JAMES WM. MOORE ET AL., MOORE'S FEDERAL PRACTICE § 41.51(3)(b) & (e) (3d ed. 2017). Upon a proper showing, relief from this order may be granted in accordance with FED. R. CIV. P. 60(b).

See Link, 370 U.S. at 635.

This action is DISMISSED without prejudice for want of prosecution.

SIGNED at Houston, Texas, on MAY 15 2018.

A handwritten signature in black ink, appearing to read 'AHB' with a checkmark-like flourish at the end.

ALFRED H. BENNETT
UNITED STATES DISTRICT JUDGE